

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper # 23

Filed by: Trial Section Merits Panel
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Filed:
14 September 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

YONG-KYU JANG, YOUNG-KUIL JOO
and MYEON-KOO KANG
Junior Party,
(Patent 6,469,759),

v.

KAZUHIKO TSUDA, KAZUHIRO ISHIZUKA
and HIROYUKI OHGAMI
Senior Party,
(Application 09/406,684).

FAXED

SEP 14 2004

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Patent Interference No. 105,203

Before SCHAFER, LANE, and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

JUDGMENT-RULE 662

On 13 September 2004, the board received "JANG REQUEST FOR ENTRY OF ADVERSE JUDGMENT" in which Jang requests and agrees to entry of adverse judgment under 37 CFR § 1.662(a) (Paper 29). Accordingly, it is


ORDERED that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against

junior party YONG-KYU JANG, YOUNG-KUIL JOO and MYEON-KOO KANG.

FURTHER ORDERED that junior party YONG-KYU JANG, YOUNG-KUIL JOO and MYEON-KOO KANG is not entitled to a patent containing claims 1, 4 and 5 (corresponding to Count 1) of U.S. Patent 6,469,759.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 09/406,684 and U.S. Patent 6,469,759.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.


RICHARD E. SCHAFER
Administrative Patent Judge


SALLY GARDNER LANE
Administrative Patent Judge


SALLY C. MEDLEY
Administrative Patent Judge

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) BOARD OF PATENT
) APPEALS AND
) INTERFERENCES
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cc (via facsimile):

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INTERFERENCE DIGEST

Interference No. 105,203

Paper No. 21

Name: Kazuhiko Tsuda et al.

Serial No.: 09/406,684

Patent No.

Title: Method of making LCD with asperities in insulation layer under reflective electrode

Filed: 09/27/99

Interference with Jang et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, favorable Dated, 9-14-04

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.